

TDC Blue Ribbon Committee
October 3, 2007 Meeting Minutes Draft Final

Members Present: ECOSLO- Maria Lorca; Templeton Area Advisory Group - Nicholas Marquart; Active Agriculturalist – Charles Whitney; Subdivision Review Board, Public Works – Richard Marshall; Ag Liaison – Mark Pearce; Farm Bureau – Joy Fitzhugh; South County Advisory Council - Jesse Hill; Land Conservancy – “BK” Bruce Richard; City of Paso Robles- Ron Whisenand

Members Absent: Sierra Club – Susan Harvey; Existing TDC receiver site – Chad Whittstrom; Subdivision Review Board, Air Pollution Control Board – Aeron Arlin Genet; General Public – Melissa Boggs; General Public - Christine Volbrecht ;City of San Luis Obispo – Kim Murry; Development Firm – Denis Sullivan

Committee Staff Present: Karen Nall and Kami Griffin, Planning and Building

Others Present: Lynda Auchinachie, Della Barrett

Richard Marshall opens the meeting.

New Business: No items are discussed.

Discussion: Receiving Sites. Karen Nall provides copies and reviews the current ordinance. Kami Griffin explains that base density is what a site is allowed now and the bonus density is the increase in density allowed through the TDC program. Discussion ensues.

Richard Marshall suggests discussing eligibility criteria first then move to the bonus.

Ron Whisenand asked what the problems have been identified with the receiver site component of the current TDC program? Charlie Whitney responds that he believes NIMBYism is a major factor. Karen Nall notes that the issues that have been brought up repeatedly is the public benefit and a connection of the sending and receiving sites. Ron Whisenand asked if there is a listing of the problems. Maria Lorca notes that the Planning Commission identified what the current problems are. Richard Marshall and Charlie Whitney note that this group has previously identified the problems at the January 24 meeting. Sue Harvey states that she would be interested in hearing from BK if there are parts of the eligibility criteria that would overly constrain a program. BK Richard suggests going through this discussion because some criteria is needed. He questions the “other sites” criteria and question how many of the current projects used this criteria. BK Richard notes that the elimination of ag as receiving sites is problematic because he feels many area are zoned agriculture but are not really ag and that this zoning is not always accurate. Sue Harvey agrees that the agriculture zoning is a problem. Jesse Hill notes that NIMBYism is a problem because no one wants the increased density. Dorothy Jennings suggests a creation of a site specific map of receiver sites and notes that the current zoning is unpredictable because the TDC program is essentially a zoning variance. Ron Whisenand agrees that NIMBYism could be a problem but feels it is a broader issue receiver sites increase density in areas that were not planned for it through the General Plan process. He further notes that for increased density to be accepted in existing developed neighborhoods, then development must bring public benefit to the neighborhood. Ron Whisenand notes that the cities do have resource constraints such as water supply and road capacity which results in problems with taking TDC and increasing density. Kami Griffin notes that annexations and general plan amendments continue to occur. Ron Whisenand agrees that these are good opportunities to require TDC’s. BK Richard notes that the Land Banking concept is very different than the current ordinance because there is no emphasis on receiving sites. He notes that the bank receives funding through fees applied when there are general plans amendments granted not for individual project density increases. Della Barrett believes the term NIMBYism belittles the community, neighborhoods feel betrayed when exceptions are made to the zoning. She add that the public benefit is different to different people where a young family may value a neighborhood park another person may value something else. Della Barrett also notes that that the Planning Commission voted to remove South

Atascadero from the program which is a strong message to the Board and the Blue Ribbon Committee to look at alternatives to the current program. Nick Marquart believes the County is sending conflicting messages with various plans that are in conflict with one another. BK Richard notes that the various plans are not mutually exclusive and that he believes that new areas will need to be developed. Jesse Hill questions annexations. Kami Griffin responds that when cities annex TDC are required. Ron Whisenand notes that the TDC program is directing growth within 5 miles which is in conflict with where the cities do not want to see growth which is just outside the cities boundaries. Kami Griffin notes that the cities should designate that the purple or green belts can not be receiving sites. Lynda Auchinachie notes that Lafco requires mitigation for conversion of ag lands due to annexations. Kami Griffin notes that the county does not do enough up-zonings to generate enough funds to fund a bank. BK Richard notes that this must be a long term bank. Karen Nall notes that she believed that the requirement of TDC when general plan amendments are granted is one thing the entire committee agrees on. Charlie Whitney believes there is a problem with non-conforming lot of record and moving the density into town. Jesse Hill question Ron purple belt concept. Ron Whisenand responds that the Paso Robles purple belt would include ag production and processing and allow residential uses, barns, wineries etc. He notes that the City of SLO's green belt is for open space not development and encourages public use of the areas. Joy Fitzhugh would like to discuss different uses for the credits other than creation of lots. Sue Luft notes that there not a lot of general plan amendment applications but there are a lot of lot splits applications. Kami Griffin notes that to create a market for the TDC you must take away a right and then give it back with a credit. She notes that she will seek county counsel's advice on when a fee can be collected. Discussion ensues regarding "givings" and "takings". Lynda Auchinachie suggests using credits to use to increase size of secondary dwellings. Richard Marshall suggests making a list of other uses for credits. The following is a compiled list of "enhanced entitlements":

- Secondary dwelling increase size
- Tasting room increase size
- Annexations
- Specific Plans
- Building Heights increase
- Lot coverage
- Growth Management Ordinance exemption or priority
- Subdivisions
- Conditional Certificates
- Lot Line Adjustment
- B&Bs increase number of bedrooms
- Building silhouetting allow view blocking
- Ag Conversion
- Ag exempt barns allow larger
- Open Space Parcel for cluster reduce size
- Open Space Parcel for RMF reduce amount
- Garage/workshop increase size
- Setback adjustments

Discussion ensues regarding impact fees and givings. Richard Marshall everything stays on the list but qualifier are needed like a percent increase and ultimate limits are spelled out. Della Barrett agrees and notes that if limits were placed on the South Atascadero credits the program were be more supportable. Kami Griffin does not believe these are impact fees these are appropriate uses for credits and it pays the cost of sprawl. Susan Harvey believes the public will support if they understand the greater benefit. Mark Pearce notes that there are two parts of this and one is creating a market for the credits. Richard Marshall suggests a review of the eligibility criteria to brain storm if changes are needed. Ron Whisenand thinks we should discuss that idea of a receiving site amenity fund that goes directly to the neighborhood. BK Richard notes that he brought up the concept as "regions of interest". Della Barrett

suggests that the individual communities need to be involved when community benefits are evaluated. Jesse Hill suggests creating a structured program and there needs to be a rational of the value received versus the credits granted. Discussion ensues regarding low income housing and the current real estate market.

Public Comment for items not on the agenda: Dorothy Jennings notes that based on the previous speakers, Urban Programs have been the most successful and suggest that the group have a presentation regarding the New Jersey Pine Lands program which is multi jurisdictional. Karen Nall responds that Michael Bell from the Nature Conservancy will be providing a presentation at our next meeting. Della Barrett congratulates the group on the quality of today's conversation.

Meeting adjourned.

Next Meeting – October 17, 2007 at 3:00.